



Serial No.: 09/594,070  
Docket No.: 1234

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
**BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

**REPLACEMENT STATUS OF CLAIMS SECTION**  
**FOR APPEAL BRIEF FILED MAY 27, 2008**

Inventor(s)	:	Terry L. Oehrke
Serial No.	:	09/594,070
Filing Date	:	June 14, 2000
Title	:	COMPUTER NETWORK METHOD AND SYSTEM FOR GUARANTEED MESSAGING SERVICE
	:	
Group/Art Unit	:	2144
Examiner	:	Scott B. Christensen
	:	
Docket No.	:	1234

Mail Stop Appeal Brief – Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

In response to the Notification of Non-Compliant Appeal Brief mailed on June 3, 2008, Appellant submits the following replacement Status of Claims section for the Appeal Brief filed May 27, 2008. The replacement Status of Claims section states which claims of the application have been cancelled. Appellant submits that the previously filed Appeal Brief, when combined with this replacement section, complies with 37 C.F.R. § 41.37. Therefore, Appellant requests that the Appeal Brief be considered on its merits.

**Certificate of Mailing Under 37 C.F.R. 1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Mail Stop Appeal Brief – Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on:

Date: June 23, 2008

Signature: Sheila R. Gibson

Printed Name: Sheila R. Gibson

The Director is hereby authorized to charge any additional amount required, or credit any overpayment, to Deposit Account No. 19-4409.

### III. STATUS OF CLAIMS

Claims 1, 3-5, 7-9, 11-13, and 15-19 are pending in this application. Claims 2, 6, 10, and 14 have been cancelled. Claims 1, 3-5, and 7-8 stand finally rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,974,122 to Nelson et al. Claims 9, 11-13, and 15-19 stand finally rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,974,122 to Nelson et al. in view of "DNS (domain name system)" allegedly posted on "whatis.com" on February 29, 2000, and downloaded by the Examiner from: "<http://web.archive.org/web/20000307002913/-whatis.com/dns.htm>". Claims 1, 3-5, 7-9, 11-13, and 15-16 stand finally rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,859,821 to Ozzie et al. Claims 17-19 stand finally rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,859,821 to Ozzie et al. Claims 1, 3-5, 7-9, 11-13, and 15-19 stand finally rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. 2001/0036822 to Mead et al. Claim 18 stands finally rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The present Appeal is directed to the rejection of claims 1, 3-5, 7-9, 11-13, and 15-19, which are reproduced in the claims appendix attached hereto.

Respectfully submitted,

By: 

Mark C. Young, Reg. No. 48,670

STINSON MORRISON HECKER LLP

1201 Walnut Street, Suite 2900

Kansas City, MO 64106

Telephone: (816) 842-8600

Facsimile: (816) 691-3495